

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87550 of 2024

Arising Out of PS. Case No.-347 Year-2024 Thana- EXCISE MADHUBAN District- East
Champaran

Nandkishor Yadav Son of Late Rajendra Rai Resident of Village- Gokhula,
Ward No.- 03, P.S.- Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
(Madhuban) Case No. 347 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2016.

3. As per prosecution case, the police has recovered
total 60 liters of illicit country-made liquor from the dickey of
the motorcycle bearing Regd. No. BR-06CN-5420.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. The
petitioner has no concern either with the seized motorcycle or



the recovered liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.10.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Madhuban) Case No. 347 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

